

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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EDWARDS FAMILY,

Plaintiff,

v.

CLARK COUNTY, et al.,

Defendants.

Case No. 2:12-cv-01530-MMD-PAL

ORDER

This civil rights action by a Nevada state inmate comes before the Court on a motion (dkt. no. 6) for reconsideration filed by plaintiff Carl D. Edwards.


None of the arguments, circumstances, or requests made in the motion for reconsideration have any bearing upon either plaintiff's ability to submit a properly-completed pauper application or the requirement that he do so absent full payment of the filing fee. The fact that plaintiff was in a local detention center rather than in a state prison when the initial pauper application was submitted does not lead to the conclusion that he then was not a "prisoner" under the definition in 28 U.S.C. § 1915(h). Edwards may not represent the interests of family members, regardless of whether or not family members allegedly consent to his doing so, because he is not an attorney. The Court will not request a private attorney to consider taking the case for the reasons outlined in the prior order. None of the frivolous arguments presented in the motion for reconsideration persuades the Court.

1 IT IS THEREFORE ORDERED that the motion (dkt. no. 6) for reconsideration  
2 filed by plaintiff Carl D. Edwards is DENIED.

3 IT IS FURTHER ORDERED that this action will be dismissed without further  
4 advance notice unless plaintiff either pays the \$350.00 filing fee or submits a new and  
5 properly completed application to proceed *in forma pauperis*, with all required and new  
6 attachments, within thirty (30) days of entry of this order.

7 This is the final advance notice that plaintiff will receive prior to entry of a  
8 judgment of dismissal in the absence of a timely and properly completed pauper  
9 application. The filing of another motion for reconsideration will not delay entry of a final  
10 judgment of dismissal if plaintiff does not timely submit a properly completed pauper  
11 application.

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13 DATED THIS 3<sup>rd</sup> day of December 2012.

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16 MIRANDA M. DU  
17 UNITED STATES DISTRICT JUDGE  
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